

Appl. No. 09/611,920
Amdt. dated December 7, 2004
Reply to Office action of September 10, 2004

REMARKS/ARGUMENTS

Receipt of the Office action dated September 10, 2004 is hereby acknowledged. In that action, the Examiner rejected all the pending claims as allegedly obvious over an article titled "Using LDAP Directory Caches" authored by Sophie Cluet *et al.* (hereinafter the *Cluet* article) in view of *Luotonen* (U.S. Patent No. 5, 864,852).

With this Response, Applicant amends claims 21, 27, 33 and 39, and cancels claims 22, 28 and 34, all to put the case in better condition for appeal.

I. AMENDMENTS TO THE SPECIFICATION

With this Response, Applicant amends paragraphs Page 10, lines 5-12 and 14-19 to make consistent the use of the reference numerals with the drawings. No new matter is added.

II. CLAIM AMENDMENTS

With this Response, Applicant: amends claim 21 to include the limitation of claim 22, now cancelled; amends claims 27 to include the limitations of claim 28, now cancelled; and amends claim 33 to include the limitations of claims 34, now cancelled. These amendments and cancellations are without prejudice to later asserting the non-amended claims, such as in a continuation. Finally, Applicant amends claim 39 to correct a typographical error. No new matter is presented.

III. RESPONSIVENESS TO THE OFFICE ACTION

Applicant acknowledges the requirement that a Response to an Office action should be fully responsive. (See MPEP 714.02; 37 CFR 1.111). However, Applicant addresses the various arguments of the Office action dated September 10, 2004 by way of an Appeal Brief (and corresponding Notice of Appeal) to be filed subsequent to the filing of this Response. Inasmuch as the amendments to specification and claims presented herein may be outside the scope of the amendments allowed to be made after filing a Notice of Appeal under the new appeal rules (see 37 CFR §41.33, also available in the Federal Register, Vol. 69, No. 155, Page 50006 (published August 12, 2004)), Applicant

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presents this Response prior to filing of the Notice of Appeal such that the amendments are to be entered as a matter of right.

With regard to an appeal from a non-final action, the positions for rejection stated in the Office action dated September 10, 2004 have not changed from those of the first Office action dated December 18, 2003 or the final Office action dated March 10, 2004. The Code of Federal Regulations states:

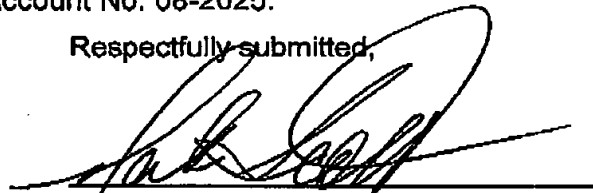
Every applicant for a patent...any of whose claims have been twice or finally rejected, may appeal from the decision of the examiner...

37 CFR § 1.191 (emphasis added). In spite of the fact that the outstanding Office action is not final, Applicant substantially concurrently with this Response appeals the case to expedite resolution.

IV. CONCLUSION

It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,



Mark E. Scott
PTO Reg. No. 43,100
CONLEY ROSE, P.C.
(713) 238-8000 (Phone)
(713) 238-8008 (Fax)
ATTORNEY FOR APPLICANT

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
Legal Dept., M/S 35
P.O. Box 272400
Fort Collins, CO 80527-2400